

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

FILED

98 JUL 13 AM 10:47

U.S. DISTRICT COURT
N.D. OF ALABAMA

JOHN WILL SMITH,

Petitioner,

v.

CIVIL ACTION NO. 98-S-151-S

WARDEN JAMES DELOACH and

THE ATTORNEY GENERAL OF

THE STATE OF ALABAMA,

Respondents.

ENTERED

JUL 13 1998

MEMORANDUM OF OPINION

The court has considered the entire file in this action together with the Magistrate Judge's Report and Recommendation and the objections of the petitioner, John Will Smith, and has reached an independent conclusion that the Magistrate Judge's Report and Recommendation is due to be adopted and approved. The court hereby adopts and approves the findings and recommendation of the magistrate judge as the findings and conclusions of the court. In accord with the recommendation, this petition for writ of habeas corpus is due to be denied and dismissed. An appropriate order will be entered.

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DONE, this 13th day of July, 1998.


UNITED STATES DISTRICT JUDGE